

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE  
COMMISSION,  
Plaintiff,  
v.  
JOHN B. BIVONA; SADDLE RIVER  
ADVISERS, LLC; SRA  
MANAGEMENT ASSOCIATES, LLC;  
FRANK GREGORY MAZZOLA  
Defendants.

} Case No. 3:16-cv-1386

} **[PROPOSED] AMENDED  
ORDER GRANTING THE  
RECEIVER'S  
ADMINISTRATIVE  
APPLICATION FOR AN  
ORDER PURSUANT TO  
LOCAL RULE 7-11 TO PAY  
THE RECEIVER AND HIS  
COUNSEL'S FEES FOR THE  
PERIOD OCTOBER 11, 2016  
TO MARCH 31, 2017**

} Date: N/A  
Time: N/A  
Judge: Edward M. Chen

This Amended Order has been entered to correct Docket No. 207, in which the fees of the Receiver and its counsel in the above matter for the period October 11, 2016 to March 31, 2017 were previously approved by the Court, but as to the Receiver's counsel, in an incorrect amount from what was requested and approved. The incorrect amount was caused by an

1 inadvertent drafting error by the Receiver's counsel in the body of Docket  
2 No. 207. This Amended Order hereby approves the correct amount of  
3 \$39,639 for the fees of the Receiver's counsel as reflected below.

4 The Receiver in the above matter, Sherwood Partners Inc.  
5 ("Sherwood") through its Senior Vice President Peter Hartheimer  
6 ("Hartheimer"), requests that this Court approve the First Fee Application  
7 pursuant to L.R. 7-11 for Sherwood's services for the period of October 11,  
8 2016 to March 31, 2017. The Receiver also requests amended approval to  
9 pay the fees of its counsel, John W. Cotton of Gartenberg, Gelfand &  
10 Hayton for the same period.

11 In support, the Receiver has submitted the Declaration of Peter  
12 Hartheimer, Sherwoods Senior Vice President, in which he states Sherwood  
13 has complied in full with the SEC's "Billing Instructions to Receivers". He  
14 has broken out, and reviewed the time spent on each of the various SEC  
15 activity categories, and stated under oath that each was reasonable and  
16 necessary, and performed by billing personnel of appropriate skill and  
17 experience level.

18 The Receiver's Counsel, John W. Cotton, has also submitted his  
19 declaration in which he states that he and his firm have broken out, and  
20 reviewed the time spent on each of the various SEC activity categories, and  
21 stated under oath that each was reasonable and necessary, and performed by  
22 billing personnel of appropriate skill and experience level.

23 The SEC, and the defendants' counsel, as well as defendant Frank  
24 Mazzola *in proper*, have reviewed this Application and the accompanying  
25 declarations and indicated to the Receiver's counsel that they have no  
26 objection to this Court's approval of the requested fee and cost payments.

1        GOOD CAUSE APPEARING, the Court hereby authorizes the  
2 Receiver in this matter, Sherwood Partners Inc., to pay itself \$221,120.67 for  
3 the requested fees and expenses for the period October 11, 2016 to March  
4 31, 2017.

5        GOOD CAUSE ALSO APPEARING, the Court hereby authorizes the  
6 Receiver in this matter, Sherwood Partners Inc., to pay Gartenberg, Gelfand  
7 & Hayton \$39,639 for the requested fees and expenses for the period  
8 October 11, 2016 to March 31, 2017.

9  
10 IT IS SO ORDERED.

11 DATED: ~~July~~ <sup>8/11</sup> 2017

